

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36045 of 2025

Arising Out of PS. Case No.-746 Year-2021 Thana- AGAMKUAN District- Patna

Shrawan Manjhi @ Shravan Kumar @ Sarwan Manjhi S/o Rajendra Manjhi
Resident of Mohalla- Jiaulhaque Colony @ Jajiul Colony, Naya Tola P.S.-
Agamkuan, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Surbhi Nirmal, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-06-2025 Heard Mrs. Surbhi Nirmal, learned counsel for the
petitioner and the State.

2. The petitioner is in judicial custody in connection with Special Case No. 5243 of 2021 arising out of Agamkuan P.S. Case No. 746 of 2021 for the offences punishable under Sections 30(a) and 36 of the Bihar Prohibition and Excise Act, lodged on 25.08.2021 by the informant, Mukesh Kumar.

3. As per the prosecution story, the informant alleged that on 25.08.2021, during patrolling, conducted a raid and there is recovery/seizure of 70 litres of country made liquor. Accordingly, the FIR/arrest.

4. Learned counsel for the petitioner submits that he has already suffered by being in custody since 19.08.2024 only



because of his criminal antecedents and earlier the petition was rejected in Cr. Misc. No. 82899 of 2024 vide order dated 04.12.2024. If granted bail, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer for bail submitting that he has criminal antecedents.

6. Taking into account the submission of the parties as also that he has remained in custody since 04.12.2024 and an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Special Court of Excise, Patna City, Patna in connection with Special Case No. 5243 of 2021 arising out of Agamkuan P.S. Case No. 746 of 2021 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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